

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JULY JUSTINE SHELBY,

Plaintiffs,

v.

WARDEN J.C. PETRUCCI, WARDEN
W.S. PLILER, DR. ALPHONSE LINLEY,
HSA B. WALLS, DREW ELLIOTT
HANNAH, ZAKKARY HURN, ERIC
CHRISTIANSEN, WARADEN
WASHINGTON, MDC BROOKLYN, DR.
ALIX MCLEAREN, Federal Bureau of
Prisons, Director, Women's Offender
Bureau, Chair, Transgender Executive
Council,

Defendants.

Case No. 23 Civ. 4315 (KMK)

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for their respective parties in the above-captioned matter as follows:

1. The parties, through the undersigned counsel, hereby stipulate to the dismissal of the above-captioned civil action with prejudice, without costs or fees to any party, pursuant to Federal Rule of Civil Procedure 41(a)(2).

2. Plaintiff and the United States of America, which is not a party to this action, through the undersigned counsel for Plaintiff and the United States, hereby stipulate that nothing in this Stipulation of Dismissal alters or limits any claim or claims relating to the facts or allegations set forth in the Second Amended Complaint (ECF No. 41) that Plaintiff may bring against the United States pursuant to the Federal Tort Claims Act ("FTCA"). Plaintiff and the

United States further stipulate that the United States does not waive any defenses it may assert in response to any claim brought by Plaintiff pursuant to the FTCA.

3. This Stipulation may be signed in counterparts (including, without limitation, by electronic signature and by PDF), each of which will be deemed an original and all of which will be taken together and deemed one instrument.

Dated: September 10, 2024
New York, New York

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United States Attorney
*Attorney for Defendants Alix
McLearen, J.C. Petrucci, William
Pliler, Milton Washington, Alphonso
Linley, and Bryan Walls and for the
United States of America*

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Dated: September 10, 2024
New York, New York

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Dated: September 10, 2024
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Dated: September 10, 2024
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Dated: September 10, 2024
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SO ORDERED.

KENNETH M. KARAS
United States District Judge